

Approved For Release 2005/01/26 : CIA-RDP80M00165A003100010007-3

19 April 1976

MEMORANDUM FOR: Chief, Information and Privacy Staff/DDA  
SUBJECT : Annual Privacy Act Report  
REFERENCE : Your memo to Directorate Privacy Act  
Coordinators dtd 5 Apr 76; Same Subject

As requested in reference, the following responses are provided to subparagraphs 2(a) through 2(f):

2(a). Provide the number of individuals (U.S. citizens and permanent resident aliens) on whom files are maintained in each record system which has been identified in the Federal Register.

<u>System #</u>	<u>U.S. Citizens</u>	<u>Resident Aliens</u>
#4 General Counsel	1142	0
#5 General Counsel	250	0
#14 Equal Employment Opportunity	19	0
#15 Inspector General	1623	0
#28 Administrative Officer/DCI	510	0
#38 Legislative Counsel	1000	0
#39 Assistant to the Director	8640	Unknown

2(b). No, although this is rarely an issue in any except System #15 (IG Grievance File).

OGC Has Reviewed

2(c). In none of these systems has there been the need to exchange information with another agency.

2(d). The only area in which this has arisen on a few rare occasions has been in relationship to FOIA requests. Some information which would be released under the compulsions of the FOIA is denied under the Privacy Act.

2(e). There are no records of the number of persons who requested access to their own files prior to the Privacy Act. Since then one individual requested access to his file in System 28; one in System 38; and three requested access to records in System 14. A few have requested access to records in System 15 but no records on number were maintained.

2(f). The system or sub-system manager in each case maintains complete control over access to the records.



Administrative Officer, DCI

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OGC 76-1894  
14 April 1976

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MEMORANDUM FOR: , Administrative Officer, DCI

SUBJECT : Annual Privacy Act Report

REFERENCE : Your Memorandum of 3 April 1976, Same Subject

CIA System 4 - Private Attorney Panel

- 2.a. 1142 U.S. citizens.
- b. No available information.
- c. No available information.
- d. Records in this system not disclosed to public.
- e. Not applicable.
- f. All persons with access to this system are fully aware of Privacy Act. All records kept in locked safe.

Assistant General Counsel  
Freedom of Information and  
Privacy Law Division

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OGC 76-1952

16 April 1976

MEMORANDUM FOR: Administrative Officer, DCI

SUBJECT: Annual Privacy Act Report

REFERENCE: Your Memorandum of 3 April 1976, Same Subject

CIA System 5 - Legal Subject Records

- 2.a. Estimated 250 U. S. Citizens.
- b. Not applicable.
- c. No limitations observed.
- d. Information in this system is primarily concerned with litigation and contractual matters. Transfers are normally made pursuant to court order or between the concerned individuals and this Agency.
- e. No available information.
- f. Normal safeguards continued.



Assistant General Counsel  
Freedom of Information and  
Privacy Law Division

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INSPECTOR GENERAL

76-0969

14 APR 1976

MEMORANDUM FOR: Administrative Officer, DCI

SUBJECT : Annual Privacy Act Report

REFERENCE : Your Memoranda, dated 9 April 1976, same subject

The following is in response to your reference memoranda. Responses are keyed to subparagraphs a-f of memo from C/IPS/DDA, dated 5 April 1976, same subject.

a. A file is established on each employee who brings a grievance to the OIG. The OIG has 1,623 potential, active and inactive grievance files.

b. Obtaining information from individuals.

(1) We have noted no perceptible change in the willingness of individuals to provide information on third parties.

(2) We estimate that approximately 50 percent of those interviewed have requested confidentiality.

c. The OIG has had no experience in attempting to obtain information from other agencies in regard to grievance files.

d. Grievance files are not disclosed to the public or to state and local governments. A grievant may obtain releasible portions of his file by submitting a Privacy Act request.

e. All responses to Privacy Act requests have been transmitted to IPS. There were very few requests to view grievance files prior to the implementation of the Act. Therefore, it can be concluded that the Act has stimulated the requests that have been received since its implementation.

f. Individuals, interviewed in relation to a grievance case, are asked whether they desire confidentiality and their response

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SUBJECT: Annual Privacy Act Report

is recorded on the interview report. The OIG obtained a ruling from the OGC as to what information in grievance files is protected from disclosure.



Donald F. Chamberlain  
Inspector General

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April 14, 1976

MEMORANDUM FOR: AO/DCI

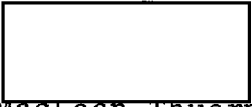
FROM : Angus MacLean Thuermer  
Assistant to the Director

SUBJECT : Annual Privacy Act Report

Subparagraphs A and D were the only ones pertinent to this office. Subparagraphs B, C, E, and F were not applicable.

A.	6840	Press
	1200	Regular Personalities
	600	CIA Employees (present & former)
	<u>8640</u>	Total

D. When queried about individuals other than the person calling, this office cites the Privacy Act for not being able to give information on the queried individual. If requester asks for information on self, verification is needed before information is released.

  
Angus MacLean Thuermer  
Assistant to the Director

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13 April 1976

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MEMORANDUM FOR:

SUBJECT : Annual Privacy Act Report

REFERENCE : Your Memorandum dated 9 April 1976, same subject

1. Following are requested responses regarding EEO records for the Annual Privacy Act Report. Please call me if there are any further details required.

2. Responses are keyed to numbered paragraphs of the 5 April 1976 memorandum on this subject from the Chief, Information and Privacy Staff:

a. A total of nineteen individuals have requested consultation with EEO officers and files on these individuals are maintained in the EEO Office.

b. The file number identified in the Federal Register is Number 14.

(1) This office seeks information on discrimination investigations only. There has been no change in the willingness of individuals to provide information on third parties.

(2) No sources of information are requesting pledges of confidentiality other than that routinely provided for in the discrimination processing procedures. Each discrimination complainant is provided with a copy of FPM 295-5 dated 23 September 1975.

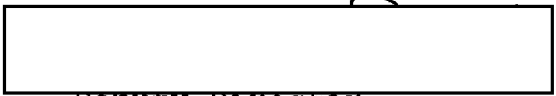
c. Enactment of the Privacy Act has had no evident effect on this component's capability of obtaining information from other agencies.

d. There has been no indication that limitations in disclosure policies resulting from the Privacy Act have affected EEO disclosure policies.



e. Three requests for access to personnel records have been received since passage of the Privacy Act. Of the three requests, no information was available on one; information was available on the second; and the third request was withdrawn. The EEO office was created after the passage of the Privacy Act; therefore, there are no records for comparison prior to its passage.

f. Every effort has been taken to ensure that every member of the Staff fully understands the content and implications of the Privacy Act, and the importance of protection of records available in this Office.

  
Deputy Director  
Equal Employment Opportunity

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15 April 1976

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MEMORANDUM FOR:  AO/DCI

SUBJECT : Annual Privacy Act Report

1. The following information is provided for the OLC contribution to your report.

2. Answer to 2a: As you are aware "files" as such on U. S. citizens are not maintained. We maintain a folder in the name of each Member of Congress in which all matters concerning that Member's office are filed. The names of constituents are of course included; however, they are not indexed and are not retrievable unless personally recalled by a member of the OLC staff. An approximate figure of about 1,000 individuals overall including the Members would be a guess but this is a very rough estimate.

3. Paragraphs b, c, e and f are not pertinent.

4. Paragraph d: We disclose information on a U. S. citizen to a congressional office only in response to their clear request. Personal information requested under the Privacy Act is provided only when expressly authorized in writing by the constituent.

George L. Cary  
Legislative Counsel

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ADMINISTRATIVE INTERNAL USE ONLY

MEMORANDUM FOR: Directorate Privacy Act Coordinators



FROM : Gene F. Wilson, Chief, Information and Privacy Staff,  
DD/A

SUBJECT : Annual Privacy Act Report

1. The Privacy Act, 5 U.S.C. 552a, requires that each Executive Department and agency submit an annual report to the Office of Management and Budget (OMB) no later than 30 April each year concerning its activities to implement the Act during the preceding calendar year. Since the Act became effective on 27 September 1975, this year's report will cover the period from August 1975, when the initial notice of systems of records and the implementing regulations were published in the Federal Register, to 31 December 1975.

2. The OMB report guidelines, issued 25 March 1976, specify that agency submissions focus on three areas: (1) exemption policies and procedures; (2) actions taken to comply with the Act and initiatives planned for the current year; and, (3) evaluation of the effects of the Act. In anticipation of the report requirement, the Information and Privacy Staff has maintained certain statistics and information that will satisfy most of the reporting requirements. However, to assure that CIA's annual report takes into account total Agency experience, it is requested that Directorate Privacy Act Coordinators respond to subparagraph a. below and comment, where appropriate, on subparagraphs b. through f.

a. Provide the number of individuals (U.S. citizens and permanent resident aliens) on whom files are maintained in each record system which has been identified in the Federal Register. Recognizing that most record systems are not structured according to nationality, estimates rather than actual numbers will suffice. If an estimate is given, provide a brief statement explaining the basis for the estimate. If, in the judgment of the System Manager, the number of individuals on whom files are maintained should not be reported in keeping with Agency security restrictions, a brief explanation for withholding the data should be submitted in lieu of furnishing the number.

b. Obtaining information from individuals.

(1) Has there been any perceptible change in the willingness of individuals to provide information on third parties, e.g., security background investigations and intelligence gathering operations, etc.?

(2) Indicate the extent to which sources of information are requesting pledges of confidentiality.

c. Obtaining information from other agencies.

The Act establishes a number of constraints on the exchange of personal information among agencies. Discuss the extent, if any, to which the Act has limited the component's ability to obtain information from other agencies and, if it has, whether it has been necessary to establish new separate reporting systems to obtain information previously available from other agencies.

d. Disclosing information.

The Privacy Act is intended to assure that, with limited exceptions, information collected for one purpose should not be used for another without the express written consent of the individual to whom the information pertains. Discuss the impact this limitation has had on disclosing records to the public (including the press) and to State and local governments.

e. Individual access to Agency records.

The Act provides that individuals should have access to and an opportunity to correct information pertaining to them in Agency records. IPS maintains records on all formal requests from the public and from Agency personnel. However, since the Agency regulations provide an informal mechanism for an employee to review his records, we want to report on the estimated number of employees who have taken advantage of this opportunity. Compare the number of employees who have requested and received access since the effective date of the Act with those who requested access prior to the Act.

f. Safeguards to protect against unwarranted disclosures.

Discuss any actions taken since the effective date of the Act to protect records from unwarranted disclosures.

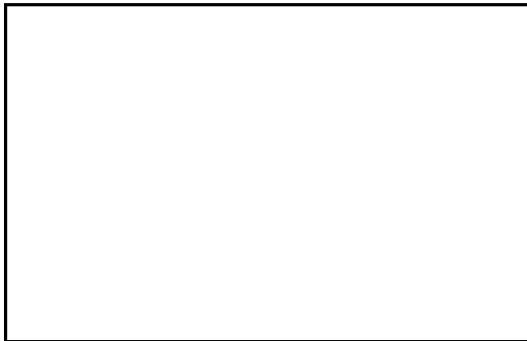
3. Responses should be submitted by close of business on 16 April 1976.



Gene F. Wilson

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cc:



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